

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:	CASE NO.
ASSET TRADER	16-02794-5-DMW
DEBTOR	CHAPTER 7
IN RE	CASE NO.
ANTHONY WAYNE MARCH,	16-00522-5-DMW
DEBTOR	CHAPTER 7

NOTICE OF MOTION

NOTICE is hereby given of the Motion for Approval of Compromise to compromise issues in the above-referenced cases, filed simultaneously herewith by James B. Angell (“AT Trustee”), Chapter 7 Trustee in the Asset Trader case and John C. Bircher III, Chapter 7 Trustee in the Anthony Wayne March case (“March Trustee”); and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, of you have on in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) Once a final order is entered approving the Compromise, you will be bound by the terms of the Compromise and may not be able to obtain relief from the terms of the Compromise if they should adversely affect you.

If you do not want the court to grant the Motion for Approval of Compromise, or if you want the court to consider your views on the motion, then on or before **February 19, 2018**, unless otherwise ordered, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing.

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Marjorie K. Lynch, Esquire Bankruptcy Administrator 434 Fayetteville Street, Suite 640 Raleigh, NC 27601	James B. Angell Chapter 7 Trustee Post Office Box 12347 Raleigh, NC 27605
John C. Bircher III White & Allen, P.A. P.O. Box U New Bern, NC 28563	

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

DATED: January 25, 2018

s/James B. Angell

James B. Angell
Howard, Stallings, From, Atkins,
Angell & Davis, P.A.
State Bar No. 12844
P.O. Box 12347
Raleigh, NC 27605
Telephone: (919) 821-7700
Facsimile: (919) 821-7703
jangell@hsfh.com
Chapter 7 Trustee for Asset Trader

s/John C. Bircher, III

John C. Bircher, III
White & Allen, P.A.
State Bar No. 24119
P.O. Box U
New Bern, NC 28563
Telephone: (252) 638-5792
Facsimile: (252) 637-7548
jangell@hsfh.com
Chapter 7 Trustee for Anthony Wayne March

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MOTION FOR APPROVAL OF COMPROMISE

NOW COMES James B. Angell (“AT Trustee”), Chapter 7 Trustee in the Asset Trader case (the “Asset Trader Case”), by and through counsel, and John C. Bircher III, Chapter 7 Trustee for Anthony Wayne March (“March Trustee”) in the Anthony Wayne March case (the “March Case”), and pursuant to Bankruptcy Rule 9019, move this Court for entry of an Order granting authority to compromise and settle issues between the Asset Trader estate and the March estate on the terms and conditions set forth on Exhibit A, attached hereto and incorporated herein by reference (the “Settlement Agreement”). In support of this Motion, the Trustee shows the Court the Following:

1. This matter is a core proceeding pursuant to 28 U.S.C. §157, and the Court has jurisdiction pursuant to 28 U.S.C. §§151, 157 and 1334. The Court has the authority to hear this matter pursuant to the General Order of Reference entered August 3, 1984, by the United States Bankruptcy Court for the Eastern District of North Carolina.
2. Movant James B. Angell is the Chapter 7 Trustee in the Asset Trader Case.
3. Movant John C. Bircher, III is Chapter 7 Trustee in the March Case.
4. The controversy or dispute sought to be compromised is:

Anthony Wayne March filed a chapter 7 bankruptcy case on February 3, 2016. In the course of the March Case, the Trustee filed Adversary Proceeding No. 16-00042-5-DMW, naming March, The Mineral Meds Foundation, Inc., and Asset Trader, as defendants, asserting, among other things, claims to pierce the corporate veil of Asset Trader and to make the assets of Asset Trader available to pay claims held by creditors of the March Estate. The Court granted a temporary restraining order in the case, and the matter was set for hearing on a preliminary injunction on May 26, 2016. Prior to the hearing on a preliminary injunction, on May 26, 2016, Asset Trader filed a petition for relief under chapter 11 of the Bankruptcy Code and Angell was appointed as Chapter 11 Trustee. The Asset Trader Case was subsequently converted to a chapter 7 case and Angell was appointed as

chapter 7 trustee for Asset Trader. After the bankruptcy filing by Asset Trader, Angell caused Adversary Proceeding No. 16-00042-5-DMW to be dismissed without prejudice.

By Order of the Bankruptcy Court filed on December 1, 2017, the Court appointed John C. Bircher, III as chapter 7 Trustee in the March Case.

5. Specifically, the complaint in Adversary Proceeding No. 16-00042-5-DMW alleged that (a) prior to organizing Asset Trader, March established trusts for individuals in which he served as trustee, and, as trustee, he would receive assets from the grantors in exchange for promises to pay a stream of annuity payments to the beneficiaries of the trusts; (b) March is unable to account for the funds of these trusts; (c) prior to organizing Asset Trader, March organized The MineralMeds Foundation, Inc. (formerly known as NISS Foundation, Inc.; herein “MineralMeds”) as a nonprofit corporation under North Carolina law; (d) March served as incorporator, president and on information and belief, director of MineralMeds; (e) March caused the various trusts that he organized to make investments in MineralMeds and caused MineralMeds to assume the annuity obligations of the trusts to the beneficiaries; (f) March used the assets of MineralMeds to pay expenses for his personal benefit; (g) March further caused MineralMeds to provide him with a line of credit for \$750,000 which was secured by March’s interest in certain domain names. Repayment of the line of credit was limited to recourse against the domain names; (h) March exhausted the funds of MineralMeds; (i) in 2012, March organized Asset Trader (formerly “The CGA Exchange” and “The CGA Exchange, Inc.”) as a nonprofit corporation under North Carolina law and served as incorporator, president, CEO and director of Asset Trader; (j) March caused Asset Trader to obtain certification as a tax exempt organization under 26 U.S.C. §501(c)(3) such that donations to Asset Trader were tax exempt; (k) the basis of its tax exempt status was that Asset Trader was to provide education the public and professionals regarding tax avoidance strategies, although no educational services were ever provided; (l) Asset Trader obtained contributions of over \$7,000,000 by promising to pay annuities to the donors or promising to lend donated funds back to the donors; (m) after Asset Trader received these contributions, March caused Asset Trader to engage in speculative investments such as gold or in property for his personal use, including but not limited to vintage cars and expensive cars, a yacht, an airplane, exercise equipment, property in the Bahamas, and property located in Wake Forest, North Carolina in which he and his family resided; (n) March caused Asset Trader to pay his personal expenses including personal use of vehicles, gas, insurance and maintenance, rent-free housing, use of the plane, use of a debit card for cash withdrawals, apartment rents, country club dues, home furnishings, home improvement, legal bills, groceries, medical bills, health club dues, dining, groceries, etc.; (o) March caused Asset Trader to provide him with a line of credit for \$500,000 which was secured by March’s interest in certain domain names. Repayment of the line of credit was limited to recourse against the domain names; (p) March further caused Asset Trader to assume his liability to beneficiaries of the various trusts that he had established prior to organizing Asset Trader and to make payments to them; and (q) using Asset Trader in this manner permitted March to have use of funds and property titled in the name of Asset Trader, without subjecting such funds or property to the claims of March’s creditors, including his former wife and beneficiaries of various trusts.

Further, the claims in Adversary Proceeding No. 16-00042-5-DMW contended that March dominated Asset Trader and converted funds from Asset Trader for his personal use. The legal theories upon which the claims were based included contentions that Asset Trader was an alter ego

of March and the Trustee was entitled to a permanent injunction permitting the March Trustee to administer the property of Asset Trader.

6. Although they were never developed in the Adversary Proceeding, defenses available to Asset Trader include (a) that, based on the equities of the case, at least some of the creditors of Asset Trader were innocent purchasers of annuities who were unaware of March's misuse of their funds and unaware of the potential that their investments might be subject to claims of March or his creditors; (b) the charter and bylaws and the §501(c)(3) status of Asset Trader prohibited March from using its assets for his personal benefit; (c) that Asset Trader is a separate entity from March under North Carolina law; (d) any claims that March may have against Asset Trader are subject to set-off and counterclaims based on funds and property of Asset Trader used by or for the benefit of March; and (e) *in pari delicto* and other legal and equitable defenses.
7. The AT Trustee and the March Trustee have both reviewed the facts in the case and believe that the necessary facts to substantively consolidate the March Case and the Asset Trader Case are not present.
8. The terms of the proposed compromise are as set forth on Exhibit A, attached hereto and generally described as:
 - (1) Asset Trader agrees to pay to the March Estate the amount of Two Hundred Ten Thousand (\$210,000.00) Dollars (the "Settlement Amount") within ten days after the entry of a Court order approving this settlement.
 - (2) Persons (including entities) filing claims in both the March case and the Asset Trader case will not be entitled to allowed claims in both cases. To the extent that a person has filed a proof of claim in both cases, Angell and Bircher shall file joint objections to claims within thirty (30) days after the entry of an order approving this compromise. It shall be a sufficient basis for objection to allowance of a claim in either case that the person has filed a proof of claim for the same loss or damages in both cases; provided, that, in response to such objections, such person may elect to abandon its claim in one case to preserve its rights to a claim in the other case. Nothing herein shall serve to except a late-filed claim in either case from treatment as a late-filed claim or to waive any basis for objecting to claims in either case.
 - (3) Except as set forth herein, Bircher, on behalf of Anthony Wayne March and the estate and its creditors, to the fullest extent of his authority, hereby releases Asset Trader, its successors and assigns, from all claims, demands, accounts, duties, damages, losses, expenses, costs, debts, obligations, causes of action and remedies therefor, choses in action, rights of indemnity and liability of any kind or nature whatsoever, whether known or unknown, suspected or unsuspected, which the March Estate may have, may have had, or might have had against Asset Trader, including but not limited to any claims that might have been brought by creditors of the March Estate to which the March Estate succeeded under 11 U.S.C. §544.
9. An illustration regarding the effect of the settlement is attached hereto as Exhibit "B". Based on the assumptions stated therein, the Trustees' rudimentary analysis shows that holders of allowed unsecured claims in the Asset Trader case will receive an estimated distribution of 8.87% of their

claims absent the settlement and an estimated distribution of 4.3282% to 10.2686% of their claims if the settlement is allowed. Holders of allowed unsecured claims in the March case will receive 0.00% of their claims absent the settlement, and 2.5309% to 4.6337% of their claims if the settlement is allowed. **This illustration is for illustrative purposes and is not necessarily predictive of distributions that might be received by the holder of an allowed unsecured claim in either the Asset Trader case or the March Case.**

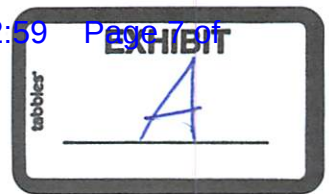
10. The Trustees have analyzed the proposed compromise, taking into consideration the facts, the strengths and weaknesses of the parties' positions, the equities involved, the information and evidence available to the Trustees to pursue and defend the claims through trial and the costs of negotiation and litigation.
11. The Trustees previously proposed a settlement arrived at when John C. Bircher III served as independent special counsel in the March Case. The previous settlement proposed a procedural consolidation of the two estates. In light of the Court's concerns regarding the independence of the March estate and the Asset Trader estate from one another, the Trustees determined that a monetary settlement was appropriate.
12. The Trustees believe the proposed settlement is in the best interest of their respective estates and creditors and request that the Court approve this Motion.

WHEREFORE, the Trustees prays for an Order approving and authorizing the settlement on the terms described in Exhibit A attached.

DATED: January 25, 2018

s/James B. Angell
James B. Angell
Howard, Stallings, From,
Atkins, Angell & Davis, P.A.
State Bar No. 12844
P.O. Box 12347, Raleigh, NC 27605
Telephone: (919) 821-7700
Facsimile: (919) 821-7703
jangell@hsfh.com

s/John C. Bircher, III
John C. Bircher, III
White & Allen, P.A.
State Bar No. 24119
P.O. Box U, New Bern, NC 28563
Telephone: (252) 638-5792
Facsimile: (252) 637-7548
jangell@hsfh.com
Chapter 7 Trustee for Anthony Wayne March



SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT (the "Agreement"), dated as of January 23, 2018, is made by and between James B. Angell, Chapter 7 Trustee for Asset Trader, Case No. 16-02794-5-DMW ("AT Trustee"), and John C. Bircher, III, Chapter 7 Trustee for Anthony Wayne March ("March Trustee").

WHEREAS, Anthony Wayne March ("March") filed a chapter 7 bankruptcy case on February 3, 2016 (the "March Case"); and

WHEREAS, James B. Angell ("Angell") was appointed as chapter 7 trustee in the March Case; and

WHEREAS, in the course of the March Case, Angell filed Adversary Proceeding No. 16-00042-5-DMW, naming March, The Mineral Meds Foundation, Inc., and Asset Trader as defendants, asserting, among other things, claims to pierce the corporate veil of Asset Trader and to make the assets of Asset Trader available to pay claims held by creditors of the March Estate; and

WHEREAS, the Bankruptcy Court granted a temporary restraining order in Adversary Proceeding No. 16-00042-5-DMW, and the matter was set for hearing on a preliminary injunction on May 26, 2016; and

WHEREAS, prior to the hearing on a preliminary injunction, on May 26, 2016, Asset Trader filed a petition for relief under chapter 11 of the Bankruptcy Code (the "Asset Trader Case") and Angell was appointed as Chapter 11 Trustee in the Asset Trader Case; and

WHEREAS, the Asset Trader Case was subsequently converted to a chapter 7 case and Angell was appointed as chapter 7 trustee for Asset Trader; and

WHEREAS, after the bankruptcy filing by Asset Trader, Angell, as the chapter 7 Trustee in the March Case, caused Adversary Proceeding No. 16-00042-5-DMW to be dismissed without prejudice; and

WHEREAS, on December 1, 2017, John C. Bircher, III ("Bircher"), was appointed as successor chapter 7 trustee in the March Case; and

WHEREAS, in the course of his duties as March Trustee, Bircher reviewed the claims made in Adversary Proceeding No. 16-00042-5-DMW; and

WHEREAS, the AT Trustee (Angell) and the March Trustee (Bircher) have reached an agreement to settle the claims of the March Trustee against Asset Trader, subject to the Bankruptcy Court's approval, pursuant to the terms outlined below.

NOW, THEREFORE, the AT Trustee and the March Trustee hereby agree as follows:

1. The Asset Trader Trustee agrees to pay to the March Trustee the amount of Two Hundred Ten Thousand (\$210,000.00) Dollars (the "Settlement Amount") within ten days after the entry of a Court order approving this settlement. The Settlement Amount shall be made by check payable to "John C. Bircher, III, Chapter 7 Trustee for Anthony Wayne March". The

Settlement Amount shall be delivered to the following address: John C. Bircher, III, White & Allen, P.A., P.O. Box U, New Bern, NC 28563.

2. Persons (including entities) filing claims in both the March Case and the Asset Trader Case will not be entitled to allowance of the same claim in both cases. To the extent that a person has filed a proof of claim in both cases, Angell and Bircher shall file joint objections to claims within thirty (30) days after the entry of an order approving this compromise. It shall be a sufficient basis for objection to allowance of a claim in either case that the person has filed a proof of claim for the same loss or damages in both cases; provided, that, in response to such objections, such person may elect to abandon its claim in one case to preserve its rights to a claim in the other case. Nothing herein shall serve to except a late-filed claim in either case from treatment as a late-filed claim or to waive any basis for objecting to claims in either case.

3. Except as set forth herein, the March Trustee, on behalf of Anthony Wayne March and the bankruptcy estate and its creditors, to the fullest extent of his authority, hereby releases Asset Trader, its successors and assigns, from all claims, demands, accounts, duties, damages, losses, expenses, costs, debts, obligations, causes of action and remedies therefor, choses in action, rights of indemnity and liability of any kind or nature whatsoever, whether known or unknown, suspected or unsuspected, which the March Trustee may have, may have had, or might have had against Asset Trader, including but not limited to any claims that might have been brought by creditors of March to which the March Trustee succeeded under 11 U.S.C. §544.

4. This Agreement is subject to approval by the Bankruptcy Court.

5. To the extent not governed by the Bankruptcy Code, this Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina, without giving effect to rules governing the conflict of laws.

6. This Agreement may be executed in one or more counterparts (whether manually signed or by facsimile or other electronic means), each such counterpart shall be deemed an original, and all such counterparts shall constitute one and the same agreement.

7. This Agreement may not be amended, changed, modified, altered, or terminated unless the parties hereto agree in writing to such amendment, change, modification, alteration, or termination. The parties hereto agree to be bound by the terms of this Agreement, pending Bankruptcy Court approval.

8. The parties agree that the Bankruptcy Court shall retain the exclusive and sole jurisdiction to resolve any controversy or claim arising out of or relating to this Agreement or the implementation or the breach hereof. The parties consent to the core jurisdiction of the Bankruptcy Court, to the constitutional authority of the Bankruptcy Court to enter a final judgment, and agree to have waived any right to a jury trial in connection with any disputes related to or arising out of this Agreement.

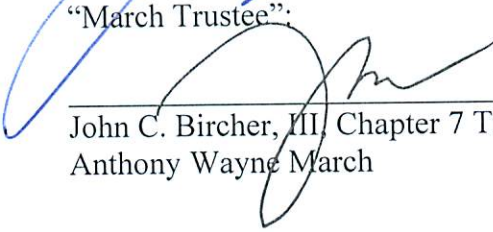
IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first above written.

“AT Trustee”



James B. Angell, Chapter 7 Trustee for Asset Trader

“March Trustee”:



John C. Bircher, III, Chapter 7 Trustee for
Anthony Wayne March

Exhibit "B"

Illustration of the effects of the settlement

Disclaimer: The following illustration uses assumptions regarding claims and collections that may not prove to be the case in reality. For example, there are pending claims objections filed by the Trustee in the Asset Trader case, although the court may determine that the claims should be disallowed. Any of these assumptions may change the distribution as to classes of creditors. The calculations in this illustration should therefore be reviewed in light of the assumptions made.

The filed claims in each case and analysis of the effect of the settlement on claims in each case are described in Exhibit "C" (the Asset Trader Case) and Exhibit "D" (the "March Case") attached hereto. Pursuant to the terms of the Settlement, duplicate claims filed in both the Asset Trader Case and in the March Case will only be allowed in one case.

The calculations regarding distributions is made based on funds in the bank in the Asset Trader case and known and quantifiable receipts that the Asset Trader Trustee expects to receive. The Asset Trader Trustee is currently involved in litigation and is preparing to file additional lawsuits to receive funds net of expenses in addition to the projected receipts.

The Trustees have made no estimate as to taxes that may be due with respect to receipts in their respective estates, although taxes may be due.

The Trustees may object to claims or pursue objections to claims in their respective cases. If claims are objected to those who retain allowed claims in a case can expect to see their percentage distribution increase.

Trustee commissions, attorneys' fees and other chapter 7 expenses are shown as estimates based on current information.

In each case, administrative expenses are estimated, and priority claims are reported based on filed proofs of claim in each case. Unsecured creditors whose claims are timely filed are paid after payment in full of administrative expenses and priority claims.

Allowed unsecured claims are based on filed claims that have not been either disallowed or previously paid. Each Trustee retains the right to file claims objections in his case, which may result in the disallowance of claims.

Asset Trader. In the Asset Trader case, there are \$4,626,186.05 in timely filed unsecured claims, which might be allowed.

- (a) In the absence of a settlement, the Asset Trader Trustee projects that unsecured creditors will receive 8.87% of their claims based on the assumptions stated herein.
- (b) If the settlement is allowed, creditors will not be permitted allowed claims in both the Asset Trader case and the March case to the extent that the same claims are asserted in both cases. Therefore, creditors who have filed the same claim in both cases will be

required to choose whether to assert their claims in the Asset Trader case or the March, in either case, without prejudice to the Trustee in that case being able to avoid the claim or to object to the claim. The duplicative claims are identified in the attached Exhibit C. The maximum amount of allowable unsecured claims is projected assuming that duplicative claims are allowed in full in the Asset Trader case is projected to be \$4,626,186.05. If the duplicative claims are disallowed in the Asset Trader case, then the maximum amount of allowable unsecured claims is projected to be \$1,949,936.63. Based on these numbers and assumptions and assuming that there is \$200,230.66 to be distributed to unsecured creditors, holders of allowed unsecured claims might expect to receive 4.3282% to 10.2686% of their claims as distributions from the bankruptcy estate.

March. In the March case, there are \$5,897,223.26 in timely filed unsecured claims, which might be allowed.

- (a) In the absence of a settlement, the March Trustee projects that unsecured creditors will receive 0.00% of their claims based on the assumptions stated herein.
- (b) If the settlement is allowed, creditors will not be permitted allowed claims in both the Asset Trader case and the March case to the extent that the same claims are asserted in both cases. Therefore, creditors who have filed the same claim in both cases will be required to choose whether to assert their claims in the Asset Trader case or the March, in either case, without prejudice to the Trustee in that case being able to avoid the claim or to object to the claim. The duplicative claims are identified in the attached Exhibit D. The maximum amount of allowable unsecured claims is projected assuming that duplicative claims are allowed in full in the March case is projected to be \$5,897,223.26. If the duplicative claims are disallowed in the March case, then the maximum amount of allowable unsecured claims is projected to be \$3,220,973.84. Based on these numbers and assuming that there is \$149,250.00 to be distributed to unsecured creditors, holders of allowed unsecured claims might expect to receive 2.5309% to 4.6337% of their claims as distributions from the bankruptcy estate.

These estimates and projections are not warranted by the Trustees but provided as good faith illustrations of how funds might be distributed based on the settlement. The Trustees will provide additional information on request to permit parties in interest to conduct their own analyses in order to determine whether or not to object to the compromise.

Asset Trader Claims

Claim No.	Claimant	Description	Claimed	Balance	Notes
<u>Secured</u>					
9.2	Atria Management Services, Inc.	Secured by Yacht	\$374,789.93	\$0.00	paid per Order at DE 781
11.2	X8 Aviation, LLC	secured by plane	\$38,687.90	\$0.00	settled and paid

Chapter 7 Admins

Yale Products	11,912.00	subject to objection
Broker fees and expenses	7,172.90	subject to dispute and approval
	19,084.90	

Chapter 11 Admin Claim

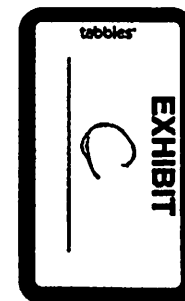
Lloyd's of Rolesville	25,000.00	allowed per order
HSFH Attorneys Fees (subj to success fee)	100,271.50	allowed per order
HSFH Expenses	6,338.06	allowed per order
JM Cook Fees	1,654.00	allowed per order
Williams Overman Pierce	26,611.00	allowed per order
	159,874.56	

Priority - Section 507(a)(8)

6.5	Internal Revenue Service	Priority - 507(A)(8)	\$25,000.00	\$25,000.00
18-1	NC Department of Commerce, DES	Priority - 507(A)(8)	\$212.00	\$212.00
19-1	NC Department of Commerce, DES	Priority - 507(A)(8)	\$21.20	\$21.20
27-1	Ohio Department of Taxation	Priority - 507(A)(8)	\$86.03	\$86.03
	Subtotal:			\$25,319.23

Unsecured; not contested (except computation of CGAs) - Section 726(a)(2)

6.5	Internal Revenue Service	unsecured	\$15,000.00	\$15,000.00	
7.1	WELLS FARGO BANK N.A	unsecured	\$15,151.01	\$15,151.01	
8.1	WELLS FARGO BANK N.A	unsecured	\$6,455.03	\$6,455.03	
11.2	X8 Aviation, LLC	unsecured	\$38,687.90	\$19,343.95	allowed by Court order
12.1	Patricia W. Lassiter (CGA)	unsecured	\$181,451.73	\$181,451.73	
13-2	Rolfe F. Pope	unsecured	\$526,951.16	\$526,951.16	allowed but subj to 548
16-1	De Lage Landen Financial Services, Inc.	unsecured	\$10,857.69	\$10,857.69	
20-1	GOLDMAN ANTONETTI & CORDOVA LLC	unsecured	\$5,264.75	\$7,784.75	settled
22-1	Hitachi Capital America Corp.	unsecured	\$86,775.76	\$86,775.76	
23	— Patricia H. Andrews	unsecured	\$273,845.73	\$273,845.73	



Distribution to Asset Trader Claims

Projected Assets:

Cash on Hand	607,140.73	
Sale of Patricia Andrews Policy (est.)	99,750.00	estimated net
Recovery from Newman Estate	75,097.84	estimated
Lawsuit Proceeds	<u>unknown</u>	
Total		<u><u>781,988.57</u></u>

Chapter 7 administrative expenses

Trustee Commissions (based on known and est. amounts)	52,479.22	estimated
Attorneys fees	110,000.00	estimated
Accountant Fees	5,000.00	estimated
Other Ch 7 Admins	19,084.90	disputed
Total Ch 7 admin expenses	<u>(186,564.12)</u>	

Chapter 11 Administrative expenses (Asset Trader) (159,874.56)

Section 507(a)(8) Priority Claims (25,319.23)

Net Assets Available for Distribution to Unsecured Creditors **410,230.66**

Total Unsecured Claims without Settlement \$4,626,186.05

Projected dividend 8.87%

If settlement allowed:

Remainder for unsecured creditors based on current projections, assumptions:

Net to Unsecured Creditors absent settlement	410,230.66
less: Settlement paid to March Estate	(210,000.00)
Net Assets Available for Distribution to Unsecured Creditors	<u><u>200,230.66</u></u>

Determination of Claims Per Settlement (no claims allowed in both cases):

Duplicate claims (filed in both cases)

	March	Asset Trader
Patricia W. Lassiter	181,451.73	181,451.73
Ella W. Bason	585,323.63	585,323.63
Mary S. Klutz	727,087.40	179,869.40
Carolyn C. Riddick	378,745.97	378,745.97
Ruth U. Mitchell	332,398.40	139,324.34
Dorothy L. Gregory	825,478.70	825,478.70
Betty Jo Temple	386,055.65	386,055.65
	<u>3,416,541.48</u>	<u>2,676,249.42</u>

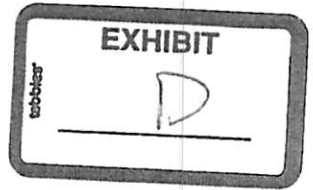
Duplicative Claims filed in Asset Trader Case 2,676,249.42

Case A - All duplicative claims not allowed in Asset Trader case

Total Unsecured Claims	\$4,626,186.05
Less: Duplicative Claims (not allowed in both cases, assumed not allowed in Asset Trader case)	(2,676,249.42)
Allowed Unsecured Claims (with Settlement)	<u><u>1,949,936.63</u></u>
Net Assets Available for Distribution to Unsecured Creditors	200,230.66
Estimated Percentage Distribution	<u><u>10.2686%</u></u>

Case B - All duplicative claims allowed in Asset Trader case

Total Unsecured Claims	\$4,626,186.05
Less: Duplicative Claims (not allowed in both cases, assumed allowed in Asset Trader case)	-
Allowed Unsecured Claims (with Settlement)	<u><u>\$4,626,186.05</u></u>
Net Assets Available for Distribution to Unsecured Creditors	200,230.66
Estimated Percentage Distribution	<u><u>4.3282%</u></u>



March Claims

Settlement Amount 210,000.00

Chapter 7 Administrative Claims

Atty Fees	Attorney for Trustee	56,000.00	estimated
	Trustee Commissions	12,250.00	
	Accounting fees	7,500.00	estimated
		<u>(60,750.00)</u>	

Priority Claims

NONE

Available for Distribution to Unsecured Claims 149,250.00

Unsecured Claims - Section 726(a)(2)

<u>Claim No.</u>	<u>Claimant</u>	<u>Amount</u>
2	Patricia Lassiter (CGA)	181,451.73
3	Wake Co Revenue Dept.	376.41
4	IRS	155,013.25
5	Toyota Motor Credit	5,606.91
6	Gray & Lloyd, LLP	875.69
7	MEEDL, LLC	1,291,117.59
8	Synchrony Bank	740.77
10	Lori March	140,000.00
11	Ella Bason (CGA)	585,323.63
12	Mary Klutz	727,087.40
13	Carolyn Riddick (CGA)	378,745.97
14	Ruth Mitchell	332,398.40
15	Stan Chicowicz	360,000.00
16	Betty Jo Temple	386,055.65
17	Rolfe Pope	526,951.16
18	Dorothy Gregory (CGA)	<u>825,478.70</u>
	Total Unsecured Claims:	<u>5,897,223.26</u>

Duplicative Claims (also filed in Asset Trader)

Duplicate claims (filed in both cases)

	March	Asset Trader
Patricia W. Lassiter	181,451.73	181,451.73
Ella W. Bason	585,323.63	585,323.63
Mary S. Klutz	727,087.40	179,869.40
Carolyn C. Riddick	378,745.97	378,745.97
Ruth U. Mitchell	332,398.40	139,324.34
Dorothy L. Gregory	825,478.70	825,478.70
Betty Jo Temple	<u>386,055.65</u>	<u>386,055.65</u>
	3,416,541.48	2,676,249.42

Total duplicate claims filed in March case: 2,676,249.42

Case A - All duplicative claims not allowed in March case

Total Unsecured Claims in March case: 5,897,223.26

Less: Duplicative Claims (not allowed in both cases, assumed not allowed in March case) (2,676,249.42)

Unsecured Claims with Settlement 3,220,973.84

Available for Distribution to Unsecured Claims 149,250.00

Estimated Percentage Distribution 4.6337%

Case B - All duplicative claims allowed in March case

Total Unsecured Claims in March case: 5,897,223.26

Less: Duplicative Claims (not allowed in both cases, assumed allowed in March case) -

Unsecured Claims with Settlement 5,897,223.26

Available for Distribution to Unsecured Claims 149,250.00

Estimated Percentage Distribution 2.5309%

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:	CASE NO.
ASSET TRADER	16-02794-5-DMW
DEBTOR	CHAPTER 7
IN RE	CASE NO.
ANTHONY WAYNE MARCH,	16-00522-5-DMW
DEBTOR	CHAPTER 7

CERTIFICATE OF SERVICE

I, Michelle R. Murdock , of the law firm Howard, Stallings, From, Atkins, Angell & Davis, P.A., certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age:

That on January 25, 2018, the foregoing MOTION TO APPROVE COMPROMISE AND NOTICE OF MOTION was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the parties listed below. I further certify that I have mailed the document to the non CM/ECF participants as set out below by first class mail.

I certify under penalty of perjury that the foregoing is true and correct.

DATE: January 25, 2018

s/Michelle R. Murdock
Michelle R. Murdock, Paralegal
P.O. Box 12347
Raleigh, NC 27605

Marjorie K. Lynch, Esquire Bankruptcy Administrator <i>Served via cm/elf and by email to</i> Brian_Behr@nceba.uscourts.gov and Rick_Hinson@nceba.uscourts.gov	Batch, Poore, & Williams, P.C. Attn: Managing Agent 107 Fayetteville Street, Suite 100 Raleigh, NC 27601-2913
John C. Bircher III White & Allen PA Served via cm/ecf	Focus Management group Attn: Managing Agent/Bankruptcy 5001 West Lemon Street Tampa, FL 33609-1103

MinderalMeds Foundation, Inc. Attn: Anthony W. March, Registered Agent 3524 N. Cratan Hwy., 2 nd Floor Kitty Hawk, NC 27949-9204	Ruth U Mitchell c/o Everett Gaskins Hancock LLP PO Box 911 Raleigh, NC 27602-0911
Optimum Outcomes Attn: Managing Agent/Bankruptcy 421 Fayetteville Street, Suite 600 Raleigh, NC 27601-1777	Carolyn Riddick c/o Everett Gaskins Hancock LLP PO Box 911 Raleigh, NC 27602-0911
Betty Jo Temple Tom Temple c/o Everett Gaskins Hancock LLP PO Box 911 Raleigh, NC 27602-0911	Wake County Revenue Department PO Box 2331 Raleigh, NC 27602-2331
Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021	Toyota Motor Credit Corporation c/o Becket and Lee LLP PO Box 3001 Malvern, PA 19355-0701

See attached Mailing Matrix

Label Matrix for Local Noticing
0417-5
Case 16-02794-5-DMW
Eastern District of North Carolina
Raleigh
Thu Jan 25 13:26:29 EST 2018

Allianz Life Insurance Company of North Amer
Premium EFT Account Treasury
5701 Golden Hills Drive
Minneapolis, MN 55416-1297

Patricia H. Andrews
212 Sonoma Valley Drive
Cary, NC 27518-5303

Ann B. Hedgepeth
2005 Weybridge Drive
Raleigh, NC 27615-5561

~~Asset Trader~~
~~c/o James B. Angell~~
~~PO Box 12347~~
~~Raleigh, NC 27605-2347~~

Atria Management Services, Inc.
c/o Jill C. Walters
Poyner Spruill LLP
P.O. Box 1801
Raleigh, NC 27602-1801

BKN Murray, LLP
Attn: Managing Officer
6795 E. Tennessee Ave
Suite 300
Denver, CO 80224-1691

~~Bankruptcy Administrator~~
~~Two Hannover Square, Ste. 640~~
~~434 Fayetteville Street~~
~~Raleigh, NC 27601-1701~~

Bexley at Heritage
916 Sugar Gap Road
Wake Forest, NC 27587-3861

CHC of the Carolinas
Attn: Managing Agent/Bankruptcy
PO Box 6526
Carol Stream IL 60197-6526

AMCC Systems Inc.
Attn: Managing Agent/Bankruptcy
111 Lancewood Road
Columbia, SC 29210-7523

Alpha-Advantage
Attn: Managing Agent/Bankruptcy
891 Emeline Lane
Kitty Hawk, NC 27949-4271

Andromeda, CHC
c/o Higgs & Johnson
Ocean Centre, Montagu Foreshore
East Bay Street,
P. O. Box N 3247, Nassau, Bahamas

Anthony Wayne March
1218 Heritage Club Avenue
Wake Forest, NC 27587-4229

At Your Service
934 W Kitty Hawk Road
Suite 4
Kitty Hawk, NC 27949-4280

Atria Management Services, Inc.
Attn: Managing Officer/Bankruptcy
517 Atria Lane
Newland, NC 28657-9696

BKN Murray, LLP
Attn: Managing Officer/Bankruptcy
6795 E Tennessee Ave, Suite 330
Denver, CO 80224-1691

~~Brian Behr~~
~~Bankruptcy Administrator, EDNC~~
~~434 Fayetteville Street, Suite 640~~
~~Raleigh, NC 27601-1888~~

Birely Marine Services, Inc.
1063 SW Blue Water Way
Stuart, FL 34997-7456

COECO Financial Services
PO Box 41602
Philadelphia, PA 19101-1602

AT and T
PO Box 1809
Paramus, NJ 07653-1809

Alvin G. & Eleanore L. Myrick
Myrick Living Trust
1918 Gracewood Drive
Greensboro, NC 27408-3224

~~James B Angell~~
~~Howard Stallings et al, P.A.~~
~~PO Box 12347~~
~~Raleigh, NC 27605-2347~~

Arthur Wilson
4701 Date Avenue, Unit 302
La Mesa, CA 91942-0291

Athene Annuity and Life Company
Attn: Managing Officer/Bankruptcy
7700 Mills Civic Parkway
West Des Moines, IA 50266-3862

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

(p)BANKRUPTCY ADMINISTRATOR EDNC
434 FAYETTEVILLE STREET
SUITE 640
RALEIGH NC 27601-1888

Betty Jo Temple
704 Shoulars Road
Rich Square, NC 27869-9415

~~Nicholas C. Brown~~
~~Howard Stallings et al, P.A.~~
~~PO Box 12347~~
~~Raleigh, NC 27605-2347~~

COECO Financial Services
Attn: Managing Agent/Bankruptcy
1111 Old Eagle School Road
Wayne, PA 19087-1453

Caren D. Enloe
PO Box 26268
Raleigh, NC 27611-6268

Carolinas Collision Center
Capital Ford
4900 Capital Boulevard
Raleigh, NC 27616-4407

Carolyn C. Riddick
2314 Lake Drive
Raleigh, NC 27609-7666

Cassandra L. Foulk
12123 Oakwood View Drive, #305
Raleigh, NC 27614-6873

Catherine R. Prehn
4423 Regent Drive
Wilmington, NC 28412-2544

Century Link
Attn: Managing Agent/Bankruptcy
359 Bert Kouns
Shreveport, LA 71106-8124

Christopher F. Wilson
21515 Hawthorne Blvd. Suite 200
Torrance, CA 90503-6512

City of Raleigh
Attn: Managing Officer/Bankruptcy
222 W. Hargett Street
Raleigh, NC 27601-1316

Cletis Snyder
2809 Combe Hill Trail
Raleigh, NC 27613-5404

J.M. Cook
J.M. Cook, P.A.
5886 Faringdon Place, Suite 100
Raleigh, NC 27609-3932

Coventry Health Care, Inc.
6730-B Rockledge Drive, Suite 700
Bethesda, MD 20817

Creekridge Capital - Navitas Lease
Vendor Services Group
7808 Creekridge Circle, Suite 250
Minneapolis, MN 55439-2647

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Danny Bradford
Bradford Law Offices
455 Swiftside Drive, Suite 106
Cary, NC 27518-7200

Davco Electric Inc.
Attn: Managing Agent/Bankruptcy
406 West Lake Drive
Kill Devil Hills, NC 27948-7818

David Boone
NC Department of Justice
114 W Edenton Street
Raleigh, NC 27603-1712

David P. Meggs Builder Inc.
Attn: Managing Agent/Bankruptcy
33 Pintail Court
Kitty Hawk, NC 27949-3846

David Phillip Meggs
33 Pintail Court
Kitty Hawk, NC 27949-3846

Wade Leon Davis
W. Leon Davis, PC
4406 Carrington Drive
Lancaster, SC 29720-6449

De Lage Landen Financial Services, Inc.
Attn: L. Levin
1111 Old Eagle School Road
Wayne, PA 19087-1453

Delaware Finance Company
Attn: Managing Officer/Bankruptcy
3601 North Market Street
Wilmington, DE 19802-2736

Joseph M. DiOrio
144 Westminster Street
Suite 302
Providence, RI 02903-2216

Dorothy L Gregory
1326 Purfoy Road
Fuquay Varina, NC 27526-8016

Dorothy L. Gregory
c/o James Hash
Everett Gaskins Hancock LLP
PO Box 911
Raleigh, NC 27602-0911

Duke
Attn: Managng Agent/Bankruptcy
5213 South Alston Avenue
Durham, NC 27713-4430

Duncan Aviation Inc
Attn: Managing Agent/Bankruptcy
P.O. Box 81887
Lincoln, NE 68501-1887

Duncan Investment Trust
Tte Anthony W. March
c/o Anthony W. March
11310 Colbert Creek Loop, Apt. 307
Raleigh, NC 27614-6676

EAB Services
3221 Glenridge Dr.
Raleigh, NC 27604-2442

EOS CCA
Attn: Managing Agent/Bankruptcy
PO Box 981002
Boston, MA 02298-1002

James P. Ehrhard
Ehrhard & Associates, PC
250 Commercial Street, Suite 410
Worcester, MA 01608-1721

Ella W. Bason
Ella W. Bason TTEE
3181 Bason Road
Mebane, NC 27302-9085

Emma Wilson
11831 Canemount Street
Raleigh, NC 27614-8384

Steve England
6077 Charleycote Drive
Raleigh, NC 27614-9590

Steve England
8601 Six Forks Road, Ste. 400
Raleigh, NC 27615-2965

Steve F England
111 TOM MCLAUGHLIN ROAD
RED SPRINGS, NC 28377-8985

Caren D. Enloe
SmithDebnamNarronDrakeSaintsing&Myers
PO Box 26268
Raleigh, NC 27611-6268

Paul A. Fanning
Ward and Smith, P. A.
Post Office Box 8088
Greenville, NC 27835-8088

FedEx Corporation
Attn: Managing Officer/Bankruptcy
942 South Shady Grove Road
Memphis, TN 38120-4117

J. Michael Fields
Ward and Smith, PA
PO Box 8088
Greenville, NC 27835-8088

Nicholas Fiorillo
49 Olde Colony Drive
Shrewsbury, MA 01545-1638

Fly High Lexington, LLC
1673 Aviation Way
Lexington, NC 27292-6732

(p)FORD MOTOR CREDIT COMPANY
P O BOX 62180
COLORADO SPRINGS CO 80962-2180

Cassandra Foulk
12123 Oakwood View Drive, #305
Raleigh, NC 27614-6873

Mason Foulk
912 Sugar Gap Rd, #302
Wake Forest, NC 27587-3872

Fred Lassiter
6123 Loch Laurel Lane
Raleigh, NC 27613-3007

GBH CPA PC
Attn: Managing Agent/Bankruptcy
6002 Rogerdale Road, Suite 500
Houston, TX 77072-1660

GOLDMAN ANTONETTI & CORDOVA LLC
PO BOX 70364
SAN JUAN, PR 00936-8364

GOLDMAN ANTONETTI & CORDOVA LLC
PO BOX 70364
SAN JUAN, P.R 00936-8364

GoDaddy
Attn: Managing Officer/Bankruptcy
14455 N Hayden Rd, #219
Scottsdale, AZ 85260-6947

Goldman, Antonetti & Cordova, LLC
American International Plaza, 15th Floor
250 Munoz Rivera Avenue
San Juan, PR 00918-1824

Granger Wilkins
20 Boca Place
Youngsville, NC 27596-7333

Gray and Lloyd
Attn: Managing Agent/Bankruptcy
3120 North Croatian Highway # 101
Kill Devil Hills, NC 27948-9253

Gray and Lloyd
Attn: Managng Agent/Bankruptcy
3120 North Croatian Highway Ste 101
Kill Devil Hills, NC 27948-9253

Barry P. Gruher
Genovese Joblove & Battista, P.A.
200 E. Broward Blvd., Suite 1110
Ft. Lauderdale, FL 33301-3535

Mike Gurkins
Country Boys Auction & Realty
Po Box 1903
Washington, NC 27889-1903

Holmes P Harden
Williams Mullen
A Professional Corporation
P. O. Drawer 1000
Raleigh, NC 27602-1000

Harlan J. Gardiner
329 Poe Creek Drive
Littleton, NC 27850-9284

Jason L. Hendren
Hendren Redwine & Malone, PLLC
4600 Marriott Drive, Suite 150
Raleigh, NC 27612-3367

Heritage Storage
119 Brooks St.
Wake Forest, NC 27587-2701

Hitachi Capital America Corp.
dba Creekside Capital/Navitas Lease Corp
c/o Kurt M. Anderson
PO Box 15667
Minneapolis, MN 55415-0667

Howard, Stallings, From & Hutson, P.A.
PO Box 12347
Raleigh, NC 27605-2347

ING Life Insurance
Attn: Managing Agent/Bankruptcy
151 Farmington Avenue
Hartford, CT 06156-8702

IRS Exempt Organizations Division
Leonard Williams
409 Koger Blvd, Suite 102
Mail Stop 39
Greensboro, NC 27407

Ignite Payments
Attn: Managing Agent/Bankruptcy
4000 Coral Ridge Dr
Pompano Beach, FL 33065-7614

(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

Iron Mountain
1000 Campus Drive
Collegeville, PA 19426-4908

Charles M. Ivey III
Ivey, McClellan, Gattton & Siegmund, LLP
121 S. Elm Street
Greensboro, NC 27401-2601

J.M. Cook
J.M. Cook, P.A.
5886 Farrington Place, Ste 100
Raleigh, NC 27609

J.M. Cook, P.A.
5886 Faringdon Place
Suite 100
Raleigh, NC 27609-3932

JS Looper Properties
Attn: Managing Agent/Bankruptcy
2006 South Main Street, Suite 210
Wake Forest, NC 27587-9391

Jackson Electric
1624 US 1 Hwy
Youngsville, NC 27596-9219

James Hash
Everett Gaskins Hancock LLP
PO Box 911
Raleigh, NC 27602-0911

James M. Hash
Everett Gaskins Hancock LLP
PO Box 911
Raleigh, NC 27602-0911

William P Janvier
Janvier Law Firm, PLLC
311 E Edenton Street
Raleigh, NC 27601-1017

Jennifer Harrod
NC Department of Justice
114 W Edenton Street
Raleigh, NC 27603-1712

John & Gloria Wilson
11262 N. State Rd 19
Macy, IN 46951-8038

John M. Blust
Ivey, McClellan, Gattton & Siegmund
PO Box 3324
Greensboro, NC 27402-3324

Pamela P. Keenan
Kirschbaum, Nanney, Keenan & Griffin, PA
PO Box 19766
Raleigh, NC 27619-9766

Kelly's Management Group, Inc.
c/o Sharp. Michael and Graham
4820 Croatan Highway
Kitty Hawk, NC 27949-8913

Michael P. Klein
330 Madison Avenue S., Suite 110
Bainbridge Island, WA 98110-2544

Mary S Klutz
422 Dodson Road
Mebane, NC 27302-9725

Landmark Aviation
Attn: Managing Agent/Bankruptcy
4885 E. Shields Ave
Fresno, CA 93726-6450

Alan Leigh
c/o Yale Marine, Inc.
738 NE 20th Ave.
Ft. Lauderdale, FL 33304-3414

Leith Euro
10956 Star Rd.
Wake Forest, NC 27587-7772

(p) TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS IA 52408-8026

Lima Yacht Sales, LLC
602 SW Anchorage Way
Stuart, FL 34994-2015

Lisa P. Sumner
P. O. Box 1801
Raleigh, NC 27602-1801

Lloyd's of Rolesville, LLC
c/o Caren D. Enloe
PO Box 26268
Raleigh, Nc 27611-6268

Lloyds of Rolesville, LLC
PO Box 638
Wake Forest, NC 27588-0638

Lloyds of Rolesville, LLC
Attn: Managing Agent/Bankruptcy
PO Box 638
Wake Forest, NC 27588-0638

Lori March
3612 Greenville Loop
Wake Forest, NC 27587-5687

~~Marjorie Lynch~~
434 Fayetteville St. Mall, Ste. 620
Raleigh, NC 27601-1888

~~Marjorie K. Lynch~~
Bankruptcy Administrator
434 Fayetteville Street, Suite 640
Raleigh, NC 27601-1888

MEEDL, LLC
Attn: Managng Agent/Bankruptcy
3411 Silverside Road, Ste 104
Wilmington, DE 19810-4809

Maid in the Shade
Attn: Managing Agent/Bankruptcy
135 The Winery
Manteo, NC 27954-9001

~~Anthony W. March~~
P.O. Box 340380
#49040
Columbus, OH 43234-0380

Anthony Wayne March
P.O. Box 340380
#49040
Columbus, OH 43234-0380

~~Lori P. March~~
3612 Greenville Loop
Wake Forest, NC 27587-5687

Maxine March
3820 Heritage Spring Circle
Wake Forest, NC 27587-8375

Valarie March
11310 Colbert Creek Loop
Apartment 307
Raleigh, NC 27614-6676

Valarie March
1218 Heritage Club Avenue
Wake Forest, NC 27587-4229

Maritime Program
Attn: Managing Agent/Bankruptcy
1117 Elm Street, Suite 200
Manchester, NH 03101-1506

Maserati of Raleigh
Attn: Managing Officer/Bankruptcy
4800 Capital Blvd
Raleigh, NC 27616-4482

Maserati of Raleigh c/o Leith, Inc.
c/o Lisa P. Sumner
P. O. Box 1801
Raleigh, NC 27602-1801

Miles Davis
P.O. Box 46
Kitty Hawk, NC 27949-0046

Jason A. Miller
Miller & Monroe PLLC
3321 Trillium Whorl Court
Raleigh, NC 27607-7000

~~Ruth U Mitchell~~
475 Shade Lane
Apex, NC 27523-5548

Moretti Yachts, Inc.
Attn: Joseph Moretti, President
2019 SW 20th Street
Fort Lauderdale, FL 33315-1874

NC Department of Commerce, DES
PO Box 26504
Raleigh, NC 27611-6504

NC Department of Revenue
Attn: Managing Officer/Bankruptcy
Post Office Box 871
Raleigh, NC 27602-0871

NC Division of Employment Security
Attn: Managing Officer/Bankruptcy
P.O. Box 25903
Raleigh, NC 27611-5903

NC Division of Motor Vehicles
Attn: Managing Agent/Bankruptcy
PO Box 29620
Raleigh, NC 27626-0620

NC Quick Pass
200 Sorrell Grove Church Road
Morrisville, NC 27560-9543

National Credit System
Attn: Managing Agent/Bankruptcy
3800 Camp Creek Pkwy
Atlanta, GA 30331-6050

Navitas Lease Corp
PO Box 3491
Ponte Vedra, FL 32004-3491

Charles R. Newman
90 Rabbit Run
Franklinton, NC 27525-9681

Roger Newman
300 Southtown Circle
Rolesville, NC 27571-9573

Sylvia K. Newman
90 Rabbit Run
Franklinton, NC 27525-9681

North American Company
Attn: Managing Officer/Bankruptcy
4350 Westown Parkway
West Des Moines, IA 50266-1036

North Capital Group, Inc.
4279 Roswell Road
Suite 102-126
Atlanta, GA 30342-3769

North Carolina Department of Revenue
Attn: Managing Officer/Bankruptcy
Post Office Box 871
Raleigh, NC 27602-0871

North Carolina Department of Revenue
Office Services Division
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Ohio Department of Taxation
P.O. Box 530
Columbus, OH 43216-0530

Ohio Department of Taxation
PO Box 1090
Columbus, OH 43216-1090

Optimum Outcomes
Attn: Managing Agent/Bankruptcy
PO Box 58015
Raleigh, NC 27658-8015

Overby Marine Sales & Service, Inc.
Attn: Managing Agent
480 Bobbitt Road
Kittrell, NC 27544-9526

PNC Bank
222 Delaware Avenue
Wilmington, DE 19801-1637

PNC Bank, NA
PO Box 94982
Cleveland, OH 44101-4982

(p)SCANA AND SUBSIDIARIES
220 OPERATION WAY
MAIL CODE C 222
CAYCE SC 29033-3701

Pamela P Keenan
PO Box 19766
Raleigh, NC 27619-9766

Pamela P. Keenan
Kirschbaum Nanney Keenan & Griffin
PO Box 19766
Raleigh, NC 27619-9766

Patricia Andrews
212 Sonoma Valley Drive
Cary, NC 27518-5303

Patricia Smith
Smith Investment Trust
1329 Cypress Trail
Fenton, MO 63026-3607

Patricia W. Lassiter
831 Dusty Hill Road
Conway, NC 27820-9674

Paychex
Attn: Managing Agent/Bankruptcy
911 Panorama Trail S.
Rochester, NY 14625-2396

Rolfe F Pope
P O Box 1992
Anacortes, WA 98221-6992

Protective Life Insurance Company
Attn: Managing Officer/Bankruptcy
Post Office Box 12687
Birmingham, AL 35202-6687

Prudential Annuities Life Insurance
1 Corporate Drive
PO Box 884
Shelton, CT 06484-6208

Prudential Financial Inc.
751 Broad Street
Newark, NJ 07102-3714

Prudential Nnuities Life Assurance Corp.
2999 North 44th St., Ste. 550
Phoenix, AZ 85018-7295

Raymond N. Hayward
123 Cloverleaf Drive
Roanoke Rapids, NC 27870-9333

Rebecca F. Redwine
Hendren Redwine & Malone, PLLC
4600 Marriott Drive, Suite 150
Raleigh, NC 27612-3367

Richard Tuttle & Associates, LLC
4089 Mays Store Road
Franklinton, NC 27525-8323

Rolesville Storage Center
Attn: Suzanne Cofer, Manager
417 S. Main St., 100 Storage Dr.
Rolesville, NC 27571

Rolfe Pope
P O Box 1992
Anacortes, WA 98221-6992

Ronnie Payne
215 E Cliveden St.
Philadelphia , PA 19119-2312

Ruby B. Hearne
821 Greyson Road
Rocky Mount, NC 27804-9638

Tyler J. Russell
Ward and Smith
P.O. Box 8088
Greenville, NC 27835-8088

SYNCB/PayPal Credit Services
Attn: Managing Agent/Bankruptcy
PO Box 960080
Orlando, FL 32896-0080

Sasha Brodsky
1362 Pacific Avenue Suite 219
Santa Cruz, CA 95060-3932

Security Central
Attn: Managing Officer/Bankruptcy
PO Box 602371
Charlotte, NC 28260-2371

Signature Flight
c/o CT Corporation System, Register
225 Hillsborough St.
Raleigh, NC 27603-1767

Silvia K. Newman
90 Rabbit Run
Franklinton, NC 27525-9681

Spartan Financial, Ltd.
c/o Granger Wilkins, Managing Agent
20 Boca Place
Youngsville, NC 27596-7333

Specialized Loan Servicing, LLC
Attn: Managing Agent/Bankruptcy
8742 Lucent Blvd., Suite 300
Littleton, CO 80129-2386

Spencer Insurance Agency Inc
Attn: Managing Agent/Bankruptcy
3625 Rogers Rd., Ste 103
Wake Forest, NC 27587-7634

Stanley M. Cichowicz
PO Box 429
Pleasant Garden, NC 27313-0429

Stanley and Diane Cichowicz
c/o James Hash
Everett Gaskins Hancock LLP
PO Box 911
Raleigh, NC 27602-0911

State Farm
Attn: Managing Agent/Bankruptcy
3 Ravinia Drive
Atlanta, GA 30346-2118

Stuart Allan and Associates, Inc.
Attn: Managing Agent/Bankruptcy
5447 E. 5th Street, Ste 110
Tucson, AZ 85711-2345

Stubbs & Perdue, P.A.
9208 Falls of Neuse Road
Suite 201
Raleigh, NC 27615-2438

Susan Bowles-Clear
1495 Meridian Court
Woodbridge, VA 22191-2928

Terri A. Simmons CPA, PLLC
6350 Rogers Road
Rolesville, NC 27571-9371

The Baltimore Life Companies
10075 Red Run Boulevard
Owings Mills, MD 21117-4871

The Go Daddy Group, Inc. (GoDaddy.com)
Attn: Managing Officer/Agent
14455 N. Hayden Rd., Suite 226
Scottsdale, AZ 85260-6947

The Lincoln National Life Ins Co
Attn: Managing Officer/Bankruptcy
100 North Greene Street
Greensboro, NC 27401-2547

The Smith Investment Trust 2005
Tte Anthony W. March U/A Dated 12/29/05
c/o Anthony March
11310 Colbert Creek Loop, Apt. 307
Raleigh, NC 27614-6676

Thomas Duncan
Duncan Investment Trust
3988 Caminito Terviso
San Diego, CA 92122-1979

Time Warner Cable
Attn: Managing Officer/Bankruptcy
101 Innovation Drive, Suite 100
Morrisville, NC 27560-8586

Tools Plus
153 Meadow St.
Waterbury, CT 06702-1800

Tracy Winegarner
2698 Capaldi Drive
Marion, OH 43302-8627

Transworld Systems Inc.
Attn: Managing Agent/Bankruptcy
507 Prudential Road
Horsham, PA 19044-2308

Travis Sasser
Sasser Law Firm
2000 Regency Parkway Suite 230
Cary, NC 27518-8508

Unique Homes
Attn: Managing Agent/Bankruptcy
3051 Tech Drive
St. Petersburg, FL 33716-1001

United States Attorney
Suite 800, Federal Building
310 New Bern Avenue
Raleigh, NC 27601-1461

Universal Avionics
Attn: Managing Agent/Officer
3260 E Universal Way
Tucson, AZ 85756-5097

Vonange Business
Attn: Managing Officer/Bankruptcy
23 Main Street
Holmdel, NJ 07733-2136

WELLS FARGO BANK N.A
PO BOX 29482
PHOENIX AZ 85038-9482

Wake County Tax Collector
Attn: Managing Agent/Bankruptcy
PO Box 2331
Raleigh, NC 27602-2331

Wake Electric
Attn: Managing Officer/Bankruptcy
100 S. Franklin Street
Wake Forest, NC 27587-2747

WakeMed
Attn: Managing Agent/Bankruptcy
PO Box 29516
Raleigh, NC 27626-0516

Jill Walters
Poyner Spruill LLP
PO Box 1801
Raleigh, NC 27602-1801

John M. Weinberg
800 SE 3rd Ave., Ste. 301
Ft. Lauderdale, FL 33316-1152

Wells Fargo Advisors, LLC
Attn: Managing Agent/Officer
One North Jefferson Avenue
St. Louis, MO 63103-2205

Wells Fargo Advisors, LLC
Attn: Managing Agent/Officer
327 Hillsboro Street
Raleigh, NC 27603-1725

Wells Fargo Bank, N.A.
P.O. Box 45038 MAC Z3057012
Jacksonville, FL 322325038

Wells Fargo Bank, N.A.
Attn: Officer
101 N. Phillips Avenue
Sioux Falls, SD 57104-6714

Wells Fargo Bank, N.A.
Small Business Lending
PO Box 29482
Phoenix, AZ 85038-9482

Wells Fargo Bank, N.A.
Attn: Managing Officer/Bankruptcy
PO Box 348750
Sacramento, CA 95834-8750

Wells Fargo N.A.
PO Box 29482
Phoenix, AZ 85038-9482

William Fischer
591 Red Gate Road
Pittsboro, NC 27312-7934

Leonard Williams
IRS Exempt Organizations Division
409 Kroger Boulevard, Suite 102
Mail Stop 39
Greensboro, NC 27407

Williams Overman Pierce, L.L.P.
Attn: Officer/Managing Agent
2501 Atrium Drive, Suite 500
Raleigh, NC 27607-6492

X8 Aviation, LLC
15105-D John J. Delaney Drive
PMB 302
Charlotte, NC 28277-2848

X8 Aviation, LLC
c/o Schell Bray Aycock Abel
and Livingston PLLC, Registered Agent
230 North Elm St., Ste. 1500
Greensboro, NC 27401-2499

X8 Aviation, LLC
15105-D John J. Delaney Drive
PMB302
Charlotte, NC 28277-2848

Yale Products, Inc.
c/o J. Caleb Thomas
Parker Poe Adams & Bernstein LLP
P. O. Box 389
Raleigh, NC 27602-0389

Constance Young
Womble Bond Dickinson LLP
One Wells Fargo Center
301 S. College Street, Suite 3500
Charlotte, NC 28202-6050

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BB AND T
PO BOX 1847
Wilson, NC 27894-1847

Bankruptcy Administrator
434 Fayetteville Street, Ste. 640
Raleigh, NC 27601

(d)Branch Banking & Trust Company
ATTN: Mr. Jack Hayes
P.O. Box 1847
Wilson, NC 27894-1847

DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
Englewood, CO 80155-6550

Ford Credit
National Bankruptcy Service Center
PO Box 62180
Colorado Springs, CO 80962

(d)Ford Motor Credit Company LLC
Dept 55953
P O Box 55000
Detroit MI, 48255-0953

(d) Ford Motor Credit Company LLC
PO Box 62180
Colorado Springs, CO 80962

Internal Revenue Service
Centralized Insolvency/Bankruptcy
P.O. Box 21126
Philadelphia, PA 19114-0326

Lexus Financial Services
Attn: Managing Agent/Bankruptcy
PO Box 17187
Baltimore, MD 21297-7187

PSNC Energy
Attn: Managing Officer/Bankruptcy
PO Box 100256
Columbia, SC 29202

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) James B Angell
Howard Stallings et al, P.A.
PO Box 12347
Raleigh, NC 27605-2347

(u) Appian Way 54 LLC

(u) Atria Management Services, Inc.

(u) Bankruptcy Administrator

(u) Bankruptcy Estate of Rolfe Chester Fred Po

(u) Ella Bason

(u) John C. Bircher III

(u) Birely Marine Service, Inc

(u) Charles R. Newman
Managing Agent, Asset Trader
32239 Blackjack Road Batesville, MS 3860

(u) Diane Cichowicz

(u) Stanley M Cichowicz

(u) Country Boys Auction & Realty

(d) Duncan Investment Trust Tte Anthony W. Mar
c/o Anthony W. March
11310 Colbert Creek Loop, Apt. 307
Raleigh, NC 27614-6676

(u) Paul A. Fanning

(u) Ford Motor Credit Company LLC

(u) Goldman Antonetti & Cordova, LLC

(u) Dorothy Gregory

(d) Holmes P Harden
Williams Mullen
A Professional Corporation
P. O. Drawer 1000
Raleigh, NC 27602-1000

(u) Insurance Brokerage Agencies

(d) James Hash
Everett Gaskins Hancock LLP
PO Box 911
Raleigh, NC 27602-0911

(u) Mary S Klutz